

**BOARD OF PAROLE HEARINGS**  
**En Banc Decisions**  
**Tuesday, May 17, 2016**

**BOGOVICH, STEPHEN**  
Sentencing Court:  
Riverside

**C-89465**

**Referred by Chief Counsel**

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**Motion:** Vacate the January 26, 2016 decision to grant parole, and schedule a new hearing based on new information regarding Mr. Bogovich's institutional misconduct on April 7, 2016, resulting in the issuance of a rules violation report on April 15, 2016.

Motion by: **Roberts**

Second by: **Fritz**

Not Present: **Anderson, Zarrinnam**

Abstained: **Minor**

**Decision:** Motion approved by a majority of the commissioners present.

**FELICIANO, GEORGE**  
Sentencing Court:  
Orange

**H-59472**

**Referred by Chief Counsel**

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**Motion:** Vacate the March 30, 2016 decision to disapprove medical parole, and schedule a new hearing to consider whether the conditions under which Mr. Feliciano would be placed on medical parole would pose an unreasonable risk to public safety.

Motion by: **Garner**

Second by: **Labahn**

Not Present: **Anderson, Chappell, Zarrinnam**

Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**PICCOLO, JONATHAN**  
Sentencing Court:  
Los Angeles

**J-47519**

**Referred by Chief Counsel**

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**Motion:** Vacate the February 4, 2016 decision to deny parole, and schedule a new hearing based upon a finding that the panel did not meet the requirements of Penal Code sections 3051 and 4801(c).

Motion by: **Richardson**  
Second by: **Montes**  
Not Present: **Anderson, Peck, Zarrinnam**  
Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**HENRY, MICHAEL**  
Sentencing Court:  
Los Angeles

**C-18916**

**Governor-Referred pursuant to  
Penal Code section 3041.1**

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**Motion:** Affirm the panel's January 14, 2016 decision to grant parole based on a finding that Mr. Henry does not pose an unreasonable risk of danger to the public, as articulated in the panel's proposed decision, and impose the special condition of parole that Mr. Henry participate in a transitional housing for a minimum of six months.

Motion by: **Minor**  
Second by: **Richardson**  
Not Present: **Anderson, Peck, Zarrinnam**  
Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**KOHLER, BRAD**  
Sentencing Court:  
Ventura

**T-56363**

**Governor-Referred pursuant to  
Penal Code section 3041.1**

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**Motion:** Refer for a rescission hearing to consider whether the panel that granted parole on February 3, 2016, committed a fundamental error resulting in an improvident grant based on the concerns cited in the Governor's referral letter dated April 29, 2016.

Motion by: **Roberts**

Second by: **Minor**

Not Present: **Anderson, Labahn, Zarrinnam**

Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**TATE, CLARENCE**  
Sentencing Court:  
Los Angeles

**K-76014**

**Governor-Referred pursuant to  
Penal Code section 3041.1**

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**Motion:** Affirm the panel's January 27, 2016 decision to grant parole based on a finding that Mr. Tate does not pose an unreasonable risk of danger to the public, as articulated in the panel's proposed decision, and impose a special condition of parole that Mr. Tate participate in a domestic violence prevention program for a minimum duration of one year.

Motion by: **Richardson**

Second by: **Chappell**

Not Present: **Anderson, Turner, Zarrinnam**

Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**MCINTOSH, JAMES**  
Sentencing Court(s):  
San Diego

**P-87642**

**Tie Vote pursuant to Penal Code  
section 3041**

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**Motion:**           **The Board finds Mr. McIntosh poses an unreasonable risk of danger and denies parole for three years for the reasons stated by the panel member who voted to deny parole at Mr. McIntosh's March 9, 2016 hearing.**

Motion by:       **Garner**

Second by:       **Montes**

Not Present:      **Anderson, Fritz, Zarrinam**

Abstained:

**Decision:**       **Motion approved by a majority of the commissioners present.**